

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARTIN RESENDEZ GUAJARDO,

Plaintiff,

v.

MICHAEL B. MUKASEY, et al.,

Defendants.

No. C 08-1929 PJH

**ORDER GRANTING MOTION
TO DISMISS**

The court having denied plaintiff's motion for injunctive relief; and having invited defendants to file a motion to dismiss, as stated in the May 9, 2008, order; and defendants having so moved; and plaintiff having filed no opposition to the motion by the deadline set by the court, the above-entitled action is DISMISSED as moot.

Because plaintiff is no longer a member in good standing of a state bar, he is no longer eligible to practice before the Executive Office for Immigration Review and the Department of Homeland Security. See 8 C.F.R. §§ 1.1(f), 1001.1(f). As no relief can be provided, the complaint is moot. Reimers v. Oregon, 863 F.2d 630, 632 (9th Cir. 1989).

IT IS SO ORDERED.

Dated: May 28, 2008



PHYLLIS J. HAMILTON
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

MARTIN R GUAJARDO,
Plaintiff,

Case Number: CV08-01929 PJH

CERTIFICATE OF SERVICE

v.

MICHAEL B MUKASEY et al,
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on May 28, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Martin Resendez Guajardo
555 Clay Street
San Francisco, CA 94111

Dated: May 28, 2008



Richard W. Wieking, Clerk
By: Nichole Heuerman, Deputy Clerk